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2
3 STATE OF VERMONT
4 PUBLIC SERVICE BOARD
5

6 Docket No. 7032
7

8 Petitions of Vermont Electric Power Company, Inc.
9 (“VELCO”), Green Mountain Power Corporation
10 (“GMP”), and the Town of Stowe Electric
11 Department (“Stowe”) and for a certificate of public
12 good, pursuant to 30 V.S.A. Section 248,
13 authorizing VELCO to upgrade a substation in
14 Moretown, Vermont; construct .3 miles of side by
15 side single pole tap; construct a switching station in
16 Duxbury, Vermont; construct 9.4 miles of 115 kV
17 transmission line; upgrade an existing GMP 34.5
18 kV subtransmission line; construct a substation in
19 Stowe, Vermont; and for Stowe to construct 1.05
20 miles of 34.5 kV subtransmission line in Stowe,
21 Vermont.
22

23
24 VERMONT AGENCY OF NATURAL RESOURCES’ PREFILED REBUTTAL
25 TESTIMONY OF SUSAN K. BULMER
26

27 **Q1. Please state your name, business address and occupation.**

28 **A1.** Susan K. Bulmer, Parks Regional Manager, Vermont Department of Forests,
29 Parks and Recreation, 5 Perry St., Suite 20, Barre, Vermont 05641.

30 **Q2. Did you file prefiled direct testimony in this proceeding?**

31 **A2.** Yes. My education and employment experience is outlined in my direct
32 testimony and in exhibit ANR-SB-1.
33

34 **Q3. What is the purpose of your testimony in this proceeding?**

35 **A3.** The purpose of my testimony is to comment on the direct testimony of DPS
36 witnesses David Raphael and J. Riley Allen, and the Gregg Hill Residents’

1 witnesses William Orr and Frederick Abraham. My comments are provided
2 based upon my experience as the Northeast Parks Regional Manager and
3 specifically consider visual impacts to park facilities, park visitors and other
4 recreational users.

5

6 **Q4. Have you reviewed the direct testimony of DPS witnesses David Raphael and**
7 **J. Riley Allen?**

8 **A4.** Yes.

9

10 **Q5. Do you agree with Mr. Raphael's conclusions concerning the aesthetic**
11 **impacts to the Waterbury Reservoir and the associated recreational**
12 **facilities?**

13 **A5.** Yes. In Mr. Raphael's testimony, he states that "the proposed upgrade will
14 significantly degrade the users experience from the water and environs of the
15 crossing with the towers 1-1/3 times and 2 times the size of the existing single
16 tower construction..... The proposed upgrade more than doubles the visual
17 presence of what is there presently due , in part, to the increased height and the
18 increased clearing...." (page 21). I could not agree more with Mr. Raphael's
19 testimony. The proposed upgrade will significantly negatively impact the visitors'
20 experiences and views from Waterbury Center State Park, Blush Hill access area,
21 and on the Reservoir. The existing configuration, even with its current impacts, is
22 below the tops of the trees and blends in with the more distant views of the
23 mountains from Waterbury Center State Park. At Blush Hill access area and on

1 the Reservoir, the visual impacts of the existing line are ever present. With the
2 new configuration, the visual impacts will be severe.

3

4 **Q6. Does Mr. Allen comment on the conclusions made by Mr. Raphael?**

5 **A6.** Yes. Mr. Allen states that while the DPS acknowledges the conclusions and
6 recommendations made by Mr. Raphael, the costs associated with
7 undergrounding would an unreasonable burden on ratepayers.

8

9 **Q7. Do you disagree?**

10 **A7.** I neither agree nor disagree. I am commenting on the impact of the project as a
11 park manager and providing my opinions as to the impacts of the project to park
12 lands and how users will be affected by those impacts. The DPS's role, as I
13 understand it, is to weigh the benefits of aesthetic mitigation against their costs.
14 My testimony is based on the Agency's mission and responsibility to provide high
15 quality recreational opportunities and experiences.

16

17 **Q8. Have you reviewed the direct testimony of Gregg Hill Resident William Orr?**

18 **A8.** Yes. I have read his testimony and reviewed the proposed reroute.

19

20 **Q9. Do you agree with Mr. Orr's assessment of the proposed project?**

21 **A9.** No. Mr. Orr's testimony presents his opinion of the impacts of the proposed
22 project on a very limited area, namely a portion of Gregg Hill Road and his

1 personal residence as well as the personal residences of Mr. Abraham and Mr.
2 Bankson.

3

4 **Q10. Are there any policies or guidance documents you have utilized in reviewing**
5 **the proposed reroute?**

6 **A10.** Yes, the Agency's "Uses of State Lands Policy" ("Policy") addresses the
7 philosophy of uses of state land and provides general criteria for its use and that
8 some uses may be inappropriate and therefore not permitted. The Agency of
9 Natural Resources established the Uses of State Lands Policy (1999) to help guide
10 land managers in appropriate uses of state lands and for the protection of resource
11 values. As the state's population continues grow along with the resulting increases
12 in development pressures and recreational demands, state lands will be under
13 increasing pressures to serve more needs and uses. The policy states that "uses
14 may be denied, or permitted only under stringent conditions to insure that (1)
15 natural resources and associated values are not destroyed or degraded, (2) they are
16 in keeping with existing public uses and original intent of the acquisition, (3) they
17 are not solely for private gain (that is, the public must benefit from the uses, as
18 well), and (4) individuals participating in group events/activities for which a fee is
19 charged are protected from any liability actions related to the events/activities."
20 **See Exhibit ANR Rebuttal-SB-1.** This policy was developed to avoid setting a
21 precedent where state land would become the repository for all uses not desired
22 on private land especially where there is no benefit to state lands and recreational
23 facilities and/or the public who use such lands and facilities.

1 **Q11. Have you applied this policy to the proposed reroute?**

2 **A11.** Yes. In this case, the proposed reroute would violate #1, #2 and #3 of the Policy
3 in that the natural, recreational and scenic resource values would be permanently
4 degraded by the new corridor alignment, that the purpose of acquisition of this
5 land was not to provide utility corridors to benefit a few private landowners and
6 that I believe the primary beneficiaries of the proposed reroute would be the
7 private individuals filing for the reroute, not the general public.

8 **Q12. Please describe your review and opinion of the reroute proposed by Mr. Orr**
9 **in his direct testimony?**

10 **A12.** The reroute proposed by the Gregg Hill Residents is not identified with any
11 specificity; however, this lack of specificity does not prevent an analysis of
12 general impacts to state parks and recreational facilities or the state forest. Mr.
13 Orr states that the Gregg Hill Residents' proposed reroute would be in the public
14 interest, but has not conducted an analysis of, or even considered, the impacts of
15 that reroute on the public resources, specifically the public recreational resources
16 of the Waterbury Reservoir, Blush Hill access area, Waterbury Center State Park,
17 and Little River State Park. He does state that the Gregg Hill Road is a scenic
18 corridor and nationally popular route for bicycle touring, but has made no attempt
19 to quantify the number of bicyclists and/or vehicles (for tourist purposes) using
20 Gregg Hill Road.

21

22 Presently, in the views from the Blush Hill boat launch, the south side of the
23 Reservoir and other locations on the Reservoir, the existing GMP line and

1 corridor on the north side of the Reservoir “disappears” from view behind the
2 initial hill from the shores of the Reservoir as it progresses north. Where the new
3 proposed reroute would cross state land and eventually Gregg Hill Road and
4 continue up state land to the height of land in the area, an entirely new corridor
5 would need to be cleared in a completely forested, undeveloped portion of state
6 land. Depending on where the proposed reroute is actually located and oriented,
7 this corridor and the corresponding higher towers associated with the upgrade will
8 be significantly visible to the users of Blush Hill access area, Waterbury
9 Reservoir, Waterbury Center State Park, trail users of the Peninsula Nature Trail,
10 and from a number of remote campsites on the south shore of the eastern arm of
11 the Reservoir. The fact that the portion of state land on the north side of Gregg
12 Hill Road is the highest point of land in that area will most likely result in
13 visibility of this reroute to many more visitors on and around the Reservoir. This
14 would result in an increased adverse aesthetic impact over the VELCO proposal
15 in the existing right-of-way.

16
17 On the northern side of the Reservoir near Gregg Hill Road, the proposed new
18 reroute corridor would have more of a visual impact in comparison to following
19 the existing corridor along a developed road (Gregg Hill Road), which already has
20 many utility lines present. I would agree with Mr. Orr, however, that the current
21 lines and poles have less of a visual impact to the area than the proposed VELCO
22 upgrade. Where I differ with Mr. Orr is 1) that the Gregg Hill Residents’ reroute
23 would have a greater impact than the VELCO proposal, 2) to whom or what will

1 receive the greatest impact overall, 3) with his characterization of the impact on
2 state land in general and 4) with his characterization of what is in the public good.
3 The proposed reroute would benefit a lot fewer people than it impacts (i.e. the
4 general public and visitors to Waterbury Reservoir, Blush Hill, and Waterbury
5 Center State Park) and thus is not in the public good.

6

7 **Q13. Could you explain how the Gregg Hill Residents' proposed reroute will**
8 **impact the recreational users of this area?**

9 **A13.** Managing for recreation requires the knowledge and understanding of the human
10 interaction with the natural environment. While recreation must have a physical
11 base of land and/or water, the outcome – recreation experience – is a personal or
12 social phenomenon. Although the management (providing facilities and resources
13 for various activities) is resource-based, the actual recreation activities are a result
14 of people, their perceptions, wants and behaviors. Recreational experiences vary
15 from person to person, and are based on the expectations they bring to an area for
16 their outdoor pursuit. As resource managers, our job is to provide recreational
17 opportunities for a wide variety of experiences. By providing opportunities for a
18 range of visitor experiences, users have the ability to choose to participate in their
19 preferred activity within a preferred setting; therefore, realizing satisfying
20 experiences which they came to expect at an area.

21

22 One means of establishing various opportunities is through the land classification
23 process, Recreation Opportunity Spectrum ("ROS"), used by the Agency of

1 Natural Resources in the long-range management planning process. There are six
2 ROS categories ranging in a continuum from primitive to urban. Most state lands
3 fall into the middle categories; however, Mt. Mansfield State Forest is one of a
4 few state lands that have “semi-primitive” lands on the forest. The difference
5 between the categories is based on the 1) physical setting, defined by the absence
6 of human sights and sounds, size and the amount of environmental modification
7 caused by human activity; 2) social setting, which reflects the amount and type of
8 contact between individuals and groups; and 3) managerial setting, which reflects
9 the amount and kind of restrictions placed on people’s actions (i.e., rules and
10 regulations).

11
12 For Mt. Mansfield State Forest, the ROS was used to inventory and map the
13 existing recreational opportunities. See Exhibit ANR-DF-2. The southern third of
14 the forest surrounding Waterbury Reservoir was mapped as “Semi-Developed
15 Natural” with the two state parks mapped as “Developed Natural.” Semi-
16 Developed Natural areas are characterized as having natural-appearing
17 environments where the evidences of the sights and sounds of people are
18 moderate. Resource modification and utilization practices are evident but usually
19 harmonize with the natural environment. These alterations remain unnoticed or
20 visually subordinate from visually scenic and heavily traveled routes and use
21 areas. Interactions between users may be low to moderate, but evidence of other
22 users is prevalent. The opportunity for the user to interact with the natural
23 environment is high. Challenge and risk are not as important as practicing and

1 testing outdoor skills. Managerial controls are noticeable (i.e., state park fees),
2 but harmonize with the natural environment.

3
4 The ROS system was established to assist land managers with directing users to
5 appropriate places in order to have satisfying recreational experiences where
6 expectations meet or are consistent with the experience, and to assist in making
7 appropriate land use / management decisions for a particular area of state land
8 (i.e., appropriate timber harvest technique, whether a new recreational facility /
9 use is appropriate for an area). Users to Waterbury Reservoir expect a natural,
10 undeveloped shoreline consistent with state land ownership. While the users have
11 adapted to the existing GMP line, the increased adverse aesthetic impacts of the
12 proposed VELCO upgrade and the proposed Gregg Hill Residents' reroute will
13 shock recreational users, possibly altering their previous satisfying experiences
14 and potentially changing use of the area.

15
16 **Q14. Do you agree with Mr. Orr that the proposed reroute will result in less**
17 **impact on state land than the existing VELCO right-of-way?**

18 **A14.** No, for all the reasons stated above. Additionally, the existing corridor has
19 already impacted the area. Most residents moved to the area with the knowledge
20 and presence of the existing corridor as Mr. Orr's testimony has stated. On state
21 land, the portion of the existing corridor along Gregg Hill Road is within the
22 developed road right-of-way. The proposed new corridor across state land would
23 be more visible from Gregg Hill Road, and from the other important recreational

1 areas already discussed above, than the current alignment, which is buffered by
2 trees and the topography, until it meets with Gregg Hill Road.

3 **Q15. Do you agree with Mr. Orr's statement on page 2, lines 3-4 that the Gregg**
4 **Hill neighborhood would retain its natural rural character if the reroute is**
5 **approved?**

6 **A15.** No. Additional clearing of state land and the subsequent changes in the
7 transmission lines and poles on the proposed reroute would significantly alter the
8 character of this area of forested state land. The undeveloped Mt. Mansfield State
9 Forest contributes to the rural character along with the open fields and scattered
10 residential development. In fact, Mt. Mansfield State Forest is the background for
11 most of the views in this area. The Gregg Hill Road area is already impacted with
12 the current transmission line and the numerous distribution and smaller
13 transmission lines. The current corridor alternates by being in view and then not
14 in view along the length of Gregg Hill Road.

15

16 **Q16. Do you agree with Mr. Orr's statements on page 3, lines 9-10 and 22-24 that**
17 **the proposed reroute will yield a greater public good because "From that**
18 **route, the lines would not be visible from Gregg Hill Road nor in most cases**
19 **from the individual dwellings" and, because "The existing 34.5 kV line atop a**
20 **scenic ridgeline and now visible from Gregg Hill Road would be removed**
21 **and replaced by two new lines out of sight from the road"?**

22 **A16.** No. The reroute proposed by Mr. Orr benefits himself and his immediate
23 neighbors, not the public good. As stated above, this proposed reroute on Mt.

1 Mansfield State Forest would significantly alter this portion of Gregg Hill Road
2 and adversely impact the recreational facilities as discussed above. The new 100-
3 foot wide corridor would have to be completely cleared, removing large trees, and
4 would be more visible because of the right angle alignment, than the existing
5 corridor hidden mostly by the topography, height of land, and the existing
6 vegetation that currently screens the corridor. The existing corridor and the
7 proposed reroute on state land are not visible from the individual residences until
8 it reaches the boundary of Magdamo-Abraham property. When the existing
9 corridor intersects with Gregg Hill Road, it is visible along this portion of state
10 land, but blends in as this is already a developed corridor.

11
12 **Q17. Do you agree with Mr. Orr's statement on page 6, lines 20-22 that the Gregg**
13 **Hill Residents' proposal "obviates the undue adverse aesthetic effects of the**
14 **VELCO proposal, and....improves the existing environment..."?**

15 **A17.** No, for all of the reasons stated above. Additionally, the proposed reroute on state
16 lands will have significant negative impact on the scenic resources as viewed
17 from Waterbury Center State Park, Blush Hill access area, and on the Reservoir
18 itself. The proposed reroute will be much more visible from these recreational
19 facilities than the existing alignment due to the height of land. The recreational
20 experience and visual impacts of the existing VELCO proposal on the Waterbury
21 Reservoir recreational facilities was greatly emphasized in Mr. Raphael's
22 testimony. It is my opinion that the Gregg Hill Residents' reroute proposal would
23 result in an undue adverse aesthetic impact similar to what Mr. Raphael found for

1 the VELCO proposal at the Reservoir crossing. Mr. Raphael did acknowledge
2 that the current VELCO proposal along Gregg Hill Road will adversely impact
3 the scenic and rural feel and thus will necessitate sufficient mitigation measures,
4 including vegetative screening. However, his testimony did not say that there was
5 an “undue” adverse aesthetic impact to Gregg Hill Road from the existing
6 VELCO proposal. Therefore, the VELCO proposed upgrade should remain in the
7 existing GMP right-of-way.

8

9 **Q18. Do you agree with Mr. Orr’s statement on page 7, lines 28-30 that the**
10 **proposed reroute will result in lines that “will be hidden from view for most**
11 **of the way as they cross Gregg Hill Road and run behind a natural screen of**
12 **mature trees”?**

13 **A18. No. The proposed reroute corridor will be exposed at the Gregg Hill Road**
14 **crossing. At this point a new 100-foot wide corridor would need to be cleared in a**
15 **completely forested section of Gregg Hill Road. This abrupt clearing, which**
16 **would be at an approximate right angle to the road, would be disharmonious with**
17 **the natural surroundings. As one meets this point on the road, one will be able to**
18 **look south for the entire length until it goes behind a small hill. Looking north**
19 **from the proposed road crossing, the 100-foot wide corridor would be visible for**
20 **several hundred feet. Granted the corridor and lines may be hidden from view**
21 **from other sections of Gregg Hill Road, but at this particular section, the corridor**
22 **will be very noticeable. Again, the existing VELCO corridor travels parallel along**

1 a buffered section and then along the developed corridor for a section of state land
2 before it crosses onto private land.

3

4 **Q19. On page 8, lines 8-12 Mr. Orr states that “The VELCO proposal would have**
5 **an undue adverse effect on the aesthetics of that section of the forest. Any**
6 **electric power line, including the existing one, does not harmonize with the**
7 **character of any forest. Doubling the number of lines and doubling the**
8 **height of one of those lines would clearly produce an even-more-offensive**
9 **disharmony.” Do you agree with this statement?**

10 **A19. Yes, power lines are disharmonious with an undeveloped forest in the pure sense.**
11 **But I would have to disagree with Mr. Orr that the VELCO proposal is less**
12 **disharmonious than the proposed reroute. As discussed above, Mr. Orr’s**
13 **statements ignore the adverse impacts of the proposed reroute on users of the state**
14 **parks, Blush Hill access area, and the Waterbury Reservoir as well as the state**
15 **forest. The existing corridor and lines runs along Gregg Hill Road adjacent to**
16 **state lands in an already developed corridor. The proposed reroute actually has an**
17 **increased impact on state forest lands because the actual corridor clearing will be**
18 **greater than the existing corridor, it will be more highly visible on Gregg Hill**
19 **Road where it intersects the road (instead of running along side of it), and it will**
20 **be significantly more visible from the Waterbury Reservoir and associated**
21 **recreational facilities.**

22 **Q20. Do you think that the Gregg Hill Residents’ proposed reroute eliminates or**
23 **reduces this disharmony on state lands?**

1 **A20.** No, for the all reasons stated above.

2

3 **Q21. On page 8, lines 13-16 Mr. Orr concludes that the Gregg Hill Residents’**
4 **proposal will yield an aesthetic improvement over the present installation by**
5 **eliminating 800 feet of the existing 34.5 kV line that now runs along Gregg**
6 **Hill Road through the State Forest.” Do you agree with this conclusion?**

7 **A21.** No, for all the reasons stated above.

8

9 **Q22. Have you reviewed the direct testimony of Gregg Hill Resident Frederick**
10 **Abraham?**

11 **A22.** Yes.

12

13 **Q23. Do you agree with Mr. Abraham’s testimony?**

14 **A23.** No. Similar to Mr. Orr’s testimony, Mr. Abraham’s testimony presents his
15 opinion of impacts from the proposed project on a very limited area, namely a
16 portion of Gregg Hill Road and his personal residence as well as the personal
17 residences of Mr. Orr and Mr. Bankson.. Again, for all the reasons discussed
18 above in response to Mr. Orr’s testimony and the fact that the portion of state land
19 on the north side of Gregg Hill Road is the highest point of land in that area
20 resulting in an increased adverse aesthetic impact over the VELCO proposal in
21 the existing right-of-way, the reroute has greater impacts than the VELCO
22 proposal and is not in the public good.

23

1 **Q24. On page 2, lines 17-24 Mr. Abraham states that “I reiterate that the *undue***
2 *adverse effects* on the aesthetics of the Gregg Hill neighborhood is perhaps
3 the greatest with the Mansfield State Forest, because of the proximity of the
4 existing and proposed lines by VELCO to Gregg Hill Road, and with the
5 Magdamo-Abraham, Bankson and Orr, properties, for the same reason,
6 proximity to Gregg Hill Road, and especially because the VELCO proposal
7 places the lines between the road and the Magdamo-Abraham and Orr
8 homes.” Do you agree with this statement?

9 **A24.** No. In Mr. Abraham’s testimony, he states that he has an “interest in the beauty
10 and quiet enjoyment of the Gregg Hill environment and the Mansfield State
11 Forest (which is adjacent to our property),” but he ignores the real adverse
12 impacts of clearing a new 100-foot wide corridor in an area of forested state land
13 as well as the adverse impacts of this new corridor to the 60,000+ visitors to
14 Waterbury Reservoir for recreational and outdoor pursuits. I do not believe it is in
15 the public good to reroute the VELCO transmission line across an undeveloped
16 forested area in order to benefit only a few individual landowners and it is
17 contrary to the Agency Uses of State Lands policy. In addition, the VELCO
18 proposal continues along a already developed road corridor that has additional
19 distribution and transmission lines running along the road and crossing the road at
20 various locations.

21

22 **Q25. Do you have any comments on Mr. Abraham’s conclusion starting on page 4,**
23 **line 20 and continuing through page 5, line20?**

1 **A25.** Yes. Mr. Abraham's discussion and arguments are limited to the affects of
2 VELCO's proposal to a limited area near and around his residence and the
3 residences of Mr. Orr and Mr. Bankson. He also mentions impacts on Mt.
4 Mansfield State Forest from the VELCO proposal in the existing right-of-way, but
5 he does not address the adverse impacts from the proposed reroute on a larger
6 scale on the users of the recreational facilities at and around Waterbury
7 Reservoir. Therefore, Mr. Abraham has not considered impacts to the public,
8 which include all the recreational users, but has only focused on a few private
9 residences. Please see the rebuttal testimony of Diana Frederick for additional
10 discussion of impacts to the state forest.

11

12 **Q26. Does this conclude your testimony at this time?**

13 **A26.** Yes.